

TECHNICAL ARRANGEMENT (TA) FOR THE
ESTABLISHMENT AND USE OF U.S.
MILITARY SUPPORT
CAPABILITIES

IN

THE REPUBLIC OF GHANA

BETWEEN

THE MINISTRY OF FOREIGN AFFAIRS OF THE
REPUBLIC OF GHANA

AND THE UNITED STATES EUROPEAN
COMMAND

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ATTACHMENTS

1. Diplomatic Notes between the United States of America and the Republic of Ghana dated November 14, 1997 and February 24, 1998.

ADDENDA

1. A list of HN or HN Authority buildings and infrastructure available for USEUCOM's use to prepare to the African Fuel Initiative Hubs for deployments.
2. A list of HN or HN Authority buildings and infrastructure at available African Fuel Initiative Hubs for Visiting Force use during deployments.
3. Facilities Constructed by the Visiting Force

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PREAMBLE

WHEREAS this Technical Arrangement (TA) is made between the United States European Command (USEUCOM) on one hand and the Ministry of Foreign Affairs of the Republic of Ghana (Ghana) on the other hand setting forth the rights and responsibilities of the Visiting Force entering the Republic of Ghana;

WHEREAS the TA designates the Kotoka International Airport, Accra Air base and the port at Tema for the use by the USEUCOM as African Fuel Initiative Hubs (AFIHs);

AND WHEREAS the TA both specifically implements the provisions contained within the Notes between the United States of America and the Republic of Ghana dated November 14, 1997 and February 24, 1998 (Attachment 1) the terms of which apply to personnel of the Visiting Force as defined in this TA, its property and activities and identifies the proper administrative procedures and local support arrangement reached between the Ministry of Defence, Ghana and USEUCOM (hereinafter referred to as "the Parties") for support of the Visiting Force at AFIHs.

2. SCOPE

The scope of this TA applies in two ways:

- 2.1 Firstly, it applies to Visiting Forces and assets entering the Republic of Ghana to Prepare Kotoka International Airport, Accra Air Base and the Port at Tema, as AFIHs for potential Visiting Force use."
- 2.1 Secondly, it applies to Visiting Forces and assets temporarily present in or transiting the Republic of Ghana as may be mutually agreed to by both Parties, pursuant to Attachment 1 and this TA. These deployments may include, but not limited to humanitarian or support operations, military exercises, surveys or logistical training."

3. DEFINITIONS

3.1. Visiting Force

Visiting Force refers to United States military personnel and civilian employees of the United States Department of Defense temporarily present in or transiting the Republic of Ghana, who shall have the status as set out in Attachment 1, as well as to civilian commercial contractors (including employees) not of Ghanaian nationality who may be brought into the Republic of Ghana by the Visiting Force to work exclusively for the Visiting Force. These contractors and their employees not normally resident in the Republic of Ghana may enter and depart the Republic of Ghana without the need for visas, and will not be subject to tax by the Republic of Ghana or its subdivisions or instrumentalities on salary, profits, or emoluments received as a direct consequence of that work.

3.2 Host Nation

Host Nation (HN) refers to the Republic of Ghana.

3.3 Host Nation Authority

For purposes of this TA, the "HN Authority" refers to the HN military commanders at Accra Air base, and the port at Tema, and the HN Director at Kotoka International Airport.

4. REFERENCES

4.1 Diplomatic

Should the provisions of this TA conflict with existing or subsequent Diplomatic Notes, the provisions of the Diplomatic Notes shall take precedence.

5. RESPONSIBILITIES

5.1 Flight and Naval Operations

Some Visiting Force flights and naval operations into, through, and from the AFIHs are under the command of a Visiting Force Commander. The Visiting Force Commander or his representative is responsible for requesting all required clearances from the appropriate HN Authority and for ensuring compliance with local flight procedures. Visiting Force vessels will not be subject to compulsory pilotage at Ghanaian ports.

5.2 Ground Operations

The HN Authority is responsible for all ground activities related to operations, except for Visiting Force personnel and ground activities related to operations of the Visiting Force assets. The HN Authority accordingly has full jurisdiction over all HN infrastructure, personnel, equipment and material.

5.3 Liaisons

5.3.1 The Visiting Force Commander may designate liaison personnel as necessary to successfully conduct the mission. In the absence of such a designation, the Visiting Force Commander remains the liaison to the HN Authority.

5.3.2 The HN Authority will designate liaison personnel to assist the Visiting Force liaisons.

6. VISITING FORCE USE OF BUILDINGS AND INFRASTRUCTURES

6.1 Use by the Visiting Force Pre-Deployment Team

A list and diagram of any HN Authority buildings and other infrastructure that may be totally or partially used or occupied to prepare the AFIHs for deployments by a Visiting Force with HN Authority permission will be made part of this TA as Addendum 1. Addendum 1 may be updated from time to time in writing, signed by the United States Defense Attaché and a representative of the Ministry of Defense of the Republic of Ghana, without requiring formal amendment of this TA.

6.2 Use by the Visiting Force

A list and diagram of HN Authority buildings and other infrastructure that may be totally or partially used or occupied by Visiting Force with HN Authority permission during deployments will be agreed to by the Parties of this TA, or their designees, and made a part of this TA as Addendum 2. Addendum 2 may be updated from time to time in writing, signed by the United States Defense Attaché and a representative of the Ministry of Defense of the Republic of Ghana, without requiring formal amendment of this TA.

6.3 Construction or Modifications

Any proposals for the construction or the modification of new or existing facilities are to be submitted to the HN Authority for approval. HN approval and detailed arrangements for the construction, use, and maintenance of facilities constructed or renovated by the Visiting Force will be reflected in an Addendum to this TA.

7. LOGISTICS SUPPORT

7.1 Housing

The Visiting Force will either contract from the local economy its own off-base housing for Visiting Force personnel, or will utilize HN infrastructure or land as agreed to pursuant to this TA.

7.2 Messing

The Visiting Force personnel may use HN military dining facilities subject to availability. Visiting Force personnel will pay the same amount as HN military personnel to use the military facility as agreed to pursuant to this TA.

7.3 Transportation/Equipment Use

The Visiting Force will provide its own transportation and equipment for Visiting Force personnel, unless otherwise obtained through commercial contracts or from agreement with the HN Authority.

7.4 Communications

The Visiting Force will provide initial and sustained communication for the Visiting Force. Frequencies used by the Visiting Force's equipment must not interfere with those of HN Authority. As such, those frequencies will be requested as far in advance as possible. Use of the frequencies themselves will be provided by the HN frequency management authorities at no cost to the Visiting Force. The Visiting Force may also contract for telephone service and Internet Service Provider (ISP) from a commercial provider if desired. HN Authority will provide, at no cost, a limited amount of telephone lines and phones for direct liaison between Visiting Force and HN Authority.

7.5 Maintenance

The Visiting Force will provide maintenance for its own assets.

7.6 Fuel/LOX

The Visiting Force may provide its own aircraft fuel (F34), liquid oxygen, or any other petroleum, oil, or lubricant products from commercial sources or, at its discretion, purchase such products from commercial sources or through an agreement with the HN Authority.

7.7 Medical Assistance

The Visiting Force is responsible for the routine medical treatment of its own personnel. HN Medical Services and local civilian hospitals may, upon agreement with the Visiting Force, be available to provide medical assistance to Visiting Force personnel. When required, Visiting Force medical personnel will augment and assist Host Nation medical personnel who provide medical assistance to Visiting Force personnel, and will determine when Visiting Force personnel will be medically evacuated to Visiting Force facilities in other locations.

7.8 Security

7.8.1 Main Gate, Flight Line and Entry Control Point Security

HN Authority personnel will provide security at the primary Main Gate, Flight Line, and Entry Control Points and other mission areas, during the Visiting Force's presence at AFIH locations. HN Authority security forces at the access point to the operations area will establish an Entry Control Point (ECP). The ECP may include armed Visiting Force personnel in accordance with attachment 1. The HN Authority will provide personnel and installation vehicle passes to the Visiting Force for access to operational areas when needed. Access to and exit from the restricted area will be permitted only to those persons designated as authorized personnel.

7.8.2 Security Augmentation

Visiting Force personnel may augment HN Authority security personnel at the Main Gate, Flight line, Entry Control Points, and other mission areas. Visiting Force personnel may institute force protection measures in accordance with applicable Visiting Force regulations, directives, and law.

7.8.3 Security of Aircraft Parking/Ammunition Storage Areas

HN Authority agrees to provide surveillance and security for aircraft parking and munitions storage areas by dedicated HN Authority security patrols (one in each area) conducting periodic surveillance. The dedicated HN Authority security patrol in the aircraft parking area may include armed Visiting Force personnel. The perimeter of the restricted area will be clearly marked, protected, and all entry and exit points controlled.

7.8.4 Dock/Pier/Anchorage Security

HN Authority shall take all reasonable measures to ensure the safety and security of U.S. personnel and property in Ghana, as well as the protection of such property from seizure by or the unauthorized use or possession by any person, persons, entity or organisation other than the United States Government (USG), without the prior consent of the USG. The Visiting Force is authorized to provide internal security of those facilities and area assigned to their use. In the event HN Authority is unable or unwilling to provide waterborne security in the vicinity of fuel hubs located at a port facility, the Visiting Force is authorized to provide waterborne security Utilizing Visiting Force assets and armed personnel.

7.8.5 Vehicle List/Driving Authorization

The Visiting Force will provide a list of all civilian rental vehicles by make, model, and license plate number to the HN Authority. Visiting Force personnel may drive official vehicles with a valid Visiting Force military driver's license. A valid international driver's license is required to drive commercial, civilian rental or private vehicles. Visiting Force personnel will respect all HN traffic regulations.

7.8.6 Photographs

Visiting Force personnel will not photograph HN military assets, aircraft, buildings, or personnel without the permission of the HN Authority. HN Authority. HN military personnel will not photograph Visiting Force military assets, aircraft, and personnel without the permission of the Visiting Force Commander.

7.8.7 Classified materials and access to classified Locations

Classified Material: The Visiting Force is responsible for the storage and handling of all received classified material in accordance with applicable Visiting Force directives, and is responsible for the storage and handling of U.S. classified material.

7.9 Weapons

7.9.1 Weapon Storage

Missiles, bombs, aircraft rounds and other ordnance, including aircrew weapons may be stored at locations mutually identified by the Visiting Force Commander and the HN Authority on a case-by-case basis.

7.9.2 Explosive Ordnance Disposal (EOD)

The Visiting Force will provide EOD support to its deployed assets. Any disposal of explosive ordnance will be coordinated with HN Authority.

7.10 Fire Fighting and Crash Rescue

HN Authority will provide fire fighting and crash rescue support if necessary. The Visiting Force Commander will provide the necessary familiarization training for HN aircraft fire fighting and crash crew personnel. The Visiting Force Commander will have on-scene commander responsibilities for fires or other events involving Visiting Force assets after the HN Senior Fire Official (SFO) has completed his responsibilities.

7.11 Airfield Lighting

The Visiting Force may install abbreviated approach and precision approach path indicator (PAPI) lighting on the runways indicated in Addendum 2 when considered necessary by the Visiting Force Commander.

7.12 Barriers

The Visiting Force is allowed to install barriers along runways indicated in Addendum 2 when considered necessary by the Visiting Force Commander.

7.13 Contracting

7.13.1 Applicability of Visiting Forces Contracting Laws and Regulations

Services and/or materials may be acquired by the Visiting Force from private suppliers within HN. The contracts with such suppliers will be governed by Visiting Forces law to the maximum extent permitted by HN law. Contracts, orders or requisitions for these items will be signed by the Commander of the Visiting Unit or his designated representative. Payments may be made directly to the private supplier involved.

7.13.2 Use of Visiting Forces Construction Personnel

The Visiting Force may carry out construction works with its own personnel.

7.13.3 Access of Contractor Personnel to the Facility

Individuals whose presence at a facility is required for the performance of a contract with the Visiting Forces shall be granted entrance into the facility within seven (7) working days of a request by Visiting Force authorities. However, such entrance may be denied or withdrawn for reasons of security or due to the

Misconduct of the individual. The HN authorities shall immediately inform the appropriate Visiting Force authorities of their action and the reasons therefore.

7.13.4 Treatment of Visiting Force Procurement of Goods, Services and Utilities.

The HN shall accord to the Visiting Force treatment in the matter of procurement of goods, service and utilities no less favourable than that accorded to the HN armed forces.

8. PROCEDURES AND OPERATIONS:

8.1 Local flight and ground procedures

The Visiting Force will observe local air traffic control regulations while in the HN. Others Safe Approach and departure Procedures, Taxi procedures, Night Operations, Pattern Altitudes, Reduced Runway Separations and Formation Flight Procedures may be agreed upon by the Host Nation commander and Visiting Force Commander.

8.2 Air Mobility Operations

The HN Authority and Visiting Force Commanders may agree upon Air Mobility Procedures on a case-by-case basis.

PAYMENTS AND REIMBURSEMENTS

9.1 Private suppliers

The services and/or materials provided to the Visiting Force by private suppliers will be based upon contracts signed by the Commander of the Visiting Force or his designated representative. Payments will be made directly to the private supplier involved.

9.2 Services provided by host nation authority

The Visiting Force will pay reasonable charges for services or goods requested and received from the HN authority. If an Acquisition and Cross-Servicing Agreement is in between the Visiting Force and the HN, it may be utilized to the extent practicable.

10. UTILITIES

10.1 Hazardous Waste

The Visiting Force will establish a hazardous waste collection point, and store hazardous materials in separate and approved storage containers for disposal. All hazardous materials will be separated by category and properly labelled (i.e. hydraulic fluid, oil, batteries, and absorbent material). Host Unit and Visiting Force personnel will coordinate disposal of waste. The Visiting Force will pay the appropriate costs related to Visiting Force waste disposal.

10.2 Non-Hazardous Waste

Non-Hazardous waste will be collected and disposed of pursuant to HN arrangements with the Visiting Force paying for any additional expense to the HN for this service.

10.3 Electricity and Water

The Visiting Force will be responsible for water and electricity costs for those infrastructures being exclusively used by the Visiting Force, and for the appropriate portion used by the Visiting Force in those infrastructures being co-used with HN.

10.4 Telephone Service

The Visiting Force will be responsible for payments for commercial telephone service that it received from the commercial provider at AFIHs.

11. IMPLEMENTATION, DURATION AND TERMINATION

11.1 Implementation and Duration

This TA becomes effective upon the signature of both Parties, and will remain in effect for five (5) years. It will automatically extend, for an additional five (5) year period, unless objected to in writing by either Party.

11.2 Termination

Either Party may terminate this TA, by providing a three (3) months notice in writing. Even after this TA is terminated, all clauses relating to financial settlement or disposition of claims will remain in force until all such matters have been settled to the satisfaction of both Parties.

12. AMENDMENTS

The contents of this TA may be reviewed, re-negotiated, or amended at any time by mutual agreement upon written request of either Party. Amendments will be made in writing, and become effective upon the signature of both Parties. In accordance with paragraphs 6.1 and 6.2, above, Addendum 1 and Addendum 2 may be updated from time to time in writing, signed by the United States Defense Attaché and a representative of the Ministry of Defense of the Republic of Ghana, without requiring formal amendment of this TA.


13. DISPUTE RESOLUTION

Any dispute regarding the implementation or interpretation of this TA shall be exclusively settled by way of negotiation between the Parties and shall not be referred to an individual, national or international tribunal, or to any other forum for settlement. Disputes which cannot be resolved by the Parties may be referred to diplomatic channels.

14. SIGNATURE

The signatories, being duly authorized by their respective governments, have signed this document on the date and at the place indicated.

FOR THE MINISTRY OF FOREIGN AFFAIRS
OF THE REPUBLIC OF GHANA



Honourable Nana Akufo-Addo, MP
Minister for Foreign Affairs

3rd Sept 2004
DATE

Accra
PLACE

FOR THE UNITED STATES
EUROPEAN COMMAND



CHARLES F. WALD
GENERAL, USAF
Deputy Commander for the United States
European Command (USEUCOM)

19 May 2005
DATE

Stuttgart, Germany
PLACE

Two originals, in English language, both texts being equally authoritative.

Attachment